REMARKS

Claims 1-8 and 17-20 are currently pending in the present application.

<u>Rejection under 35 U.S.C. § 102</u>

Claims 1-8 and 17-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Rakavy et al.* (US 6,324,644). Applicants respectfully traverse such rejection.

The purpose of the claimed invention is to perform a hardware setup operation on a data processing system without the hardware setup program being stored in the data processing system itself. Instead, the hardware setup program and the associated dynamic link modules are stored in a server data processing system. Hence, Claim 1 (and similarly Claims 5 and 17) recites a step of "storing a hardware setup program and a plurality of dynamic link modules in a server data processing system." Before performing a hardware setup operation, the data processing system is <u>physically</u> coupled to the server data processing system. Hence, Claim 1 (and similarly Claims 5 and 17) recites a step of "coupling a data processing system to said server data processing system via a data processing system network." After the hardware setup operation has been completed, the data processing system is <u>physically</u> de-coupled to the server data processing system. Hence, Claim 1 (and similarly Claims 5 and 17) recites a step of "de-coupling said data processing system from said server data processing system after a completion of said hardware setup operation." Even though the word "physically" was not explicitly recited in Claims 1, 7 and 17, the data processing system cannot be coupled to the server data processing system via any software means without first being physically coupled to the server data processing system; hence, the word "physically" is implied.

On page 2 of the Final Office Action, the Examiner asserts that the claimed storing step is disclosed by *Rakavy* in col. 10, lines 55-60. Specifically, col. 10, lines 55-60 of *Rakavy* states

> A loader services thread **426** provides the management workstation **200** application with an interface to the module loader **630**. The management workstation **200** can send messages to the module loader **630** containing code and data to be loaded into RAM, and executed as an additional transient network enhanced BIOS thread.

It is clear from the above-mentioned paragraph that *Rakavy* does not teach or suggest the claimed storing step in col. 10, lines 55-60. Importantly, *Rakavy* does not teach or suggest the storing of a hardware setup program and a plurality of dynamic link modules in the server data processing system (which seems to be server computer **100** in Figure 1 of *Rakavy* according the Examiner's characterization).

On page 2 of the Final Office Action, the Examiner also asserts that the claimed de-coupling step is disclosed by *Rakavy* as returning control to the remote computer in col. 7, lines 15-25. Specifically, col. 7, lines 15-25 of *Rakavy* states

> If the installation check routine determines **439** that no such signature is present, the rest of POST routine **520** executes **413** and control is passed **414** to a bootstrapping routine supplied by the operating system. As described above, the bootstrapping routine loads **432** the operation system and passed **415** CPU control to it.
>
> If the signature indicating the start of the network enhanced BIOS **600** code is found then a relocation routine **416** copies the network enhanced BIOS **600** from the non-volatile memory **125** into RAM **120**, and CPU control is passed **417** to the initialization routine **610** of the network...

Again, it is clear from the above-mentioned paragraph that *Rakavy* does not teach or suggest the claimed de-coupling step in col. 7, lines 15-25. Since the claimed invention recites novel features that are not taught or suggested by *Rakavy*, the § 102 rejection is believed to be overcome.

CONCLUSION

Claims 1-8 and 17-20 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1, 5 and 17 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of this application, please charge it against Deposit Account No. **50-0563**.

Respectfully submitted,

Antony P. Ng
Registration No. 43,427
BRACEWELL & PATTERSON, LLP
111 Congress Ave., Suite 2300
Austin, Texas 78701
(512) 343-6116

ATTORNEY FOR APPLICANTS